

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DEMARCO MAX VAC CORP.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 08-cv-77
)	Hon. Samuel Der-Yeghiayan
NORTHWIND AIR SYSTEMS)	Mag. Judge Maria Valdez
(a Canadian Corporation) d/b/a DUROVAC)	
INDUSTRIAL VACUUMS, & JAN)	
OSTERMEIER INDUSTRIAL VACUUMS)	
SALES LLC (a Wisconsin Corporation),)	
)	
Defendants.)	
)	

JOINT JURISDICTIONAL STATUS REPORT

The parties hereby submit the following joint statement as to why this Court has subject matter jurisdiction:

I. Subject Matter Jurisdiction

With respect to the parties' claims under the Lanham Act, 15 U.S.C. §§ 1114 and 1125, this Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1338(a) and 15 U.S.C. § 1121. This Court has related-claim jurisdiction over the state law claim pursuant to 28 U.S.C. §§ 1338(b) and 1367.

II. Venue (Plaintiff's Position)

Venue is proper in this district under 28 U.S.C. §1391(b) and (c) because a substantial part of the events or omissions giving rise to the claims occurred in this district, a substantial part of the property that is the subject of the action is situated in this district. Defendants are located in Wisconsin and Canada, and Plaintiff asserts that defendants wrongfully infringed Plaintiff's trademarks on at least two commercial websites which, were directed in part toward and

accessible within this district in the State of Illinois. It is further the case that Plaintiff maintains its principal place of business in this district.

Dated: February 28, 2008

PLAINTIFF

By: /s/ Jon D. Cohen
One of its Attorneys

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of **Joint Jurisdictional Statement** has been served this 28th day of February, 2008 via ECF filing, courtesy copy via e-mail, to:

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/s/ Jeana R. Lervick

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